

REMARKS

Claims 76-7, 81-83 and 99-100 are pending and stand rejected. In response to the rejection under the second paragraph of § 112, claim 81 is amended. A Terminal Disclaimer is attached in response to the obviousness-type double patenting rejection over co-owned US. Patent No. 5,814,464. No new matter is added by the amendment, and the examiner is respectfully requested to enter this amendment.

I. Objections to the Specification

A. The Examiner found the title was not descriptive and suggested amendment to "A Nucleic Acid Encoding TIE-2 Ligand." Accordingly, the title is amended as suggested.

B. The Examiner requested correction and updating of the reference to related applications. Accordingly, the specification is amended to update and correct the reference to related applications.

II. Rejections under § 112, second paragraph.

Claims 81-83 was rejected as vague and indefinite for the phrase "polypeptide which comprises the vector." Accordingly, claim 81 is amended as suggested. This rejection may now be withdrawn.

III. Rejections under Non-Statutory Obviousness-Type Double Patenting.

Claims 76-79, 81-83, and 99-100 were rejected for double-patenting over claims 1-11 of U.S. Patent No. 5,814,464 Davis et al. Applicants have attached hereto a signed Terminal Disclaimer with respect to US 5,814,464, thereby rendering the rejection moot.

Conclusion

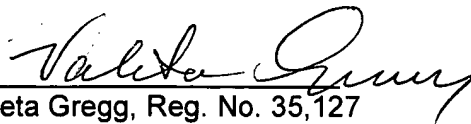
It is believed that this document is fully responsive to the Office action dated 22 August 2005. In light of the above amendments and remarks, it is believed that the claims are now in condition for allowance, and such action is respectfully urged.

Fees

Applicants contend that no fee is necessary in connection with the filing of this response. However, if any fee is deemed to be necessary, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 18-0650.

Appl. No. 10/603,293
Office action dated 22 August 2005
Response dated 15 September 2005

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Valeta Gregg", is written over a horizontal line.

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